



Entered on Docket
March 09, 2010

Hon. Mike K. Nakagawa
United States Bankruptcy Judge

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Wells Fargo Bank, N.A.
09-78035

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In Re:

Teresa Murphy

Debtor.

BK-S-09-21928-mkn

Date: 2/10/2010
Time: 1:30 pm

Chapter 7

ORDER VACATING AUTOMATIC STAY

1 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the
2 above-entitled bankruptcy proceedings is immediately vacated and extinguished for all purposes as to
3 Secured Creditor Wells Fargo Bank, N.A., its assignees and/or successors in interest, of the subject
4 property, generally described as 2200 S Fort Apache #2238, Las Vegas, NV 89117, and legally
5 described as follows:
6

7 **PARCEL ONE (1) - UNIT:**

8 LIVING UNIT 2238 IN BUILDING 28 AS SHOWN ON THE FINAL MAP OF CANYON
9 LAKE A CONDOMINIUM SUBDIVISION ON FILE IN BOOK 128 OF PLATS, PAGE 30,
10 IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA
(HEREINAFTER THE "PLAT")

11 **POARCEL TWO (2) - COMMON ELEMENTS:**

12 1/504TH INTEREST AS A TENANT-IN-COMMON IN THE COMMON ELEMENTS
13 SHOWN ON THE PLAT, IN ACCORDANCE WITH AND SUBJECT TO THE TERMS OF
14 THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE
15 RESIDENCE AT CANYON GATE HOMEOWNERS ASSOCIATION, INC., RECORDED
DECEMBER 1, 2005, IN BOOK 20051201 AS DOCUMENT NO. 04300 IN THE OFFICE OF
THE COUNTY RECORDER OF CLARK COUNTY, NEVADA (HEREAFTER THE
"DECLARATION").

16 EXCEPTING THEREFROM, ALL UNITS SHOWN ON THE PLAT.

17 RESERVING THEREFROM, THE RIGHT TO USE ANY OF THOSE AREAS
18 DESIGNATED AS LIMITED COMMON ELEMENTS IN THE PLAT AND/OR THE
19 DECLARATION.

20 FURTHER RESERVING THEREFROM, FOR THE BENEFIT OF THE OWNERS OF ALL
21 UNITS SHOWN ON THE PLAT (EXCEPT THE UNIT REFERRED TO IN PARCEL ONE(1)
22 ABOVE), NON-EXCLUSIVE EASEMENTS FOR ACCESS, INGRESS, EGRESS, USE,
ENJOYMENT AND OTHER PURPOSES ON, OVER AND ACROSS THE COMMON
ELEMENTS, AS DEFINED IN, AND SUBJECT TO THE DECLARATION.

23 **PARCEL THREE (3) - LIMITED COMMON ELEMENTS:**

24 THE EXCLUSIVE RIGHT TO USE, POSSESS AND OCCUPY THE AREAS DESIGNATED
25 AS LIMITED COMMON ELEMENTS, ALLOCATED TO PARCELS ONE(1) AND TWO (2)
IN THE DECLARATION.

26 **PARCEL FOUR (4) - APPURTEnant EASEMENTS:**

1
2 NON-EXCLUSIVE EASEMENTS FOR ACCESS, INGRESS, EGRESS, USE ENJOYMENT
3 AND OTHER PURPOSES ON, OVER AND ACROSS THE COMMON ELEMENTS AS
4 DEFINED IN AND SUBJECT TO THE DECLARATION, WHICH EASEMENTS ARE
5 APPURTEnant TO PARCELS ONE (1), TWO (2) AND THREE (3) ABOVE.

6 **IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give**
7 **Debtor at least five business days' notice of the time, place and date of sale.**

8 DATED this _____ day of _____ 2010

9 Submitted by:
10

11 **WILDE & ASSOCIATES**

12 By: _____
13 **Gregory L. Wilde, Esq.**
14 Attorney for Secured Creditor
208 South Jones Boulevard
Las Vegas, Nevada 89107

15 APPROVED / DISAPPROVED

16 By: _____
17 Lenard E. Schwartzer
18 2850 S. Jones Blvd., Suite 1
19 Las Vegas, NV 89146
Attorney for Debtor(s)

20 APPROVED / DISAPPROVED

21 By: _____
22 Timothy S. Cory
23 8831 West Sahara Ave.
Las Vegas, NV 89117
Chapter 7 Trustee

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1 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

2 The court waived the requirements of LR 9021.

3 No parties appeared or filed written objections, and there is no trustee appointed in the case.

4 No parties appeared or filed written objections, and the trustee is the movant.

5 This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a
copy of this proposed order to all counsel who appeared at the hearing, and any trustee
appointed in this case, any unrepresented parties who appeared at the hearing, and each has
approved or disapproved the order, or failed to respond, as indicated below:

6 Debtor's counsel:

7 approved the form of this order disapproved the form of this order

8 waived the right to review the order and/or failed to respond to the document

9 appeared at the hearing, waived the right to review the order

10 matter unopposed, did not appear at the hearing, waived the right to review the order

11 Trustee:

12 approved the form of this order disapproved the form of this order

13 waived the right to review the order and/or failed to respond to the document

14 This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all
counsel who appeared at the hearing, and any trustee appointed in this case any unrepresented
parties who appeared at the hearing, and each has approved or disapproved the order, or failed to
respond, as indicated below.

15 Debtor's counsel:

16 approved the form of this order disapproved the form of this order

17 waived the right to review the order and/or failed to respond to the document

18 appeared at the hearing, waived the right to review the order

19 matter unopposed, did not appear at the hearing, waived the right to review the order

20 Trustee:

21 approved the form of this order disapproved the form of this order

22 waived the right to review the order and/or failed to respond to the document

23 I certify that I have served a copy of this order with the motion, and no parties appeared or filed
written objection.

24 Submitted by:

25 /s/ Gregory L. Wilde, Esq.

26 Gregory L. Wilde, Esq.

Attorney for Secured Creditor